

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DAVID DERRINGER,

Plaintiff,

vs.

Civ. No. 02-1075 MV/WDS

NEW MEXICO SUPREME COURT,
THOMAS C. TURNEY, JUDGE EDMUND
KASE III, WAYNE G. CANON, and
MICKEY and JENNIFER CHAPEL, husband
and WIFE,

Defendants.

CONSOLIDATED WITH

DAVID DERRINGER,

Plaintiff,

vs.

Civ. No. 03-0090 JP/DJS

JOHN D'ANTONIO, New Mexico State
Engineer, JOSEPH MANGES, MICKEY
CHAPEL, and JENNIFER CHAPEL,

Defendants.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on Plaintiff's Emergency Motion to Dismiss,
Quash, and Set Aside the Illegal and Unconstitutional CV-94-10 Judgment and Injunction of May

17, 1996, Place a Stay on CV-94-10 and Place a Permanent Restraining Order Against the Chapels, filed February 6, 2003, [**Doc. No. 28**], Plaintiff's Motion for Federal Court Order to Stay All Proceedings in State Cases CV-94-10 and CV-02-19 and All Appeals of These State Cases, filed May 27, 2003, [**Doc. No. 46**], and Plaintiff's Motion for Permanent Restraining Order Against Mick Chapel, filed October 24, 2003, [**Doc. No. 57**].

As set forth in the Memorandum Opinion and Order dismissing this case, which is being filed concurrently, this Court lacks subject matter jurisdiction over this action under the *Rooker-Feldman* doctrine. Consequently, the Court has no authority to grant the relief requested in Plaintiff's motions.

IT IS THEREFORE ORDERED that Plaintiff's Emergency Motion to Dismiss, Quash, and Set Aside the Illegal and Unconstitutional CV-94-10 Judgment and Injunction of May 17, 1996, Place a Stay on CV-94-10 and Place a Permanent Restraining Order Against the Chapels, filed February 6, 2003, [**Doc. No. 28**], Plaintiff's Motion for Federal Court Order to Stay All Proceedings in State Cases CV-94-10 and CV-02-19 and All Appeals of These State Cases, filed May 27, 2003, [**Doc. No. 46**], and Plaintiff's Motion for Permanent Restraining Order Against Mick Chapel, filed October 24, 2003, [**Doc. No. 57**] are **DENIED**.

Dated this 29th day of March, 2004.



MARTHA VAZQUEZ
U. S. DISTRICT COURT JUDGE

Attorney for Plaintiff:
David Derringer, *pro se*

Attorneys for Defendants New Mexico
Supreme Court, Judge Edmund Kase III,
Thomas C. Turney and Wayne G. Canon:
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